

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL NO. 00 - _____
:
v. : DATE FILED: _____
:
RAHSHAWN BRAXTON, : VIOLATION:
a/k/a Shawn Braxton, :
a/k/a Tyree Smith : 21 U.S.C. § 841(a)(1) (Possession
: with the intent to distribute a
: controlled substance(cocaine base) -
: 1 Count)
:
: 18 U.S.C. § 924(c) (Possession of a
: firearm in furtherance of drug
: trafficking - 1 Count)
:
: 18 U.S.C. § 922 (Felon in
: possession of a firearm/ammunition
: - 1 Count)
:
: NOTICE OF FORFEITURE

I N D I C T M E N T
COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about September 20, 1999, at Philadelphia, in the Eastern
District of Pennsylvania, defendant

RAHSHAWN BRAXTON,
a/k/a Shawn Braxton,
a/k/a Tyree Smith

knowingly and intentionally possessed with intent to distribute a
mixture or substance containing a detectible amount of cocaine base
("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 20, 1999, at Philadelphia, in the Eastern District of Pennsylvania, defendant

RAHSHAWN BRAXTON,
a/k/a Shawn Braxton,
a/k/a Tyree Smith

knowingly possessed a firearm, that is, one Gabilondo/Gabilondo & Cia semi-automatic pistol, caliber 40 S & W, model Max-1-L/F, with an obliterated serial number, loaded with 12 live rounds of ammunition, caliber 40 S & W, in furtherance of a drug trafficking offense for which he may be prosecuted in a court of the United States, that is, possession with the intent to distribute cocaine base ("crack"), in violation of Title 21, United States Code, Section 841(a)(1), as charged in Count One of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 20, 1999, in Philadelphia, in the Eastern District of Pennsylvania, defendant

RAHSHAWN BRAXTON,
a/k/a Shawn Braxton,
a/k/a Tyree Smith

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce, a firearm, that is, one Gabilondo/Gabilondo & Cia semi-automatic pistol, caliber 40 S & W, model Max-1-L/F, with an obliterated serial number, loaded with 12 live rounds of ammunition, caliber 40 S & W,

In violation of Title 18, United States Code, Section 922(g)(1).

NOTICE OF FORFEITURE

1. The Allegations of Counts One, Two, and Three of this Indictment are incorporated by reference in this Notice of Forfeiture as if set forth at length below.

2. As a result of the violation of Title 21, United States Code, Section 841(a)(1) in Count One, of this Indictment, RAHSHAWN BRAXTON shall forfeit to the United States of America, pursuant to Title 21, United States Code, Section 853, the following property which was used, and intended to be used, in any manner or part, to commit, and to facilitate the commission of such violations:

One Gabilondo/Gabilondo & Cia semi-automatic pistol, caliber 40 S & W, model Max-1-L/F, with an obliterated serial number, loaded with 12 live rounds of ammunition, caliber 40 S & W,

All pursuant to Title 21, United States Code, Section 853(a)(1),(2) and (p).

A TRUE BILL:

FOREPERSON

MICHAEL R. STILES
UNITED STATES ATTORNEY